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Attorneys for Plaintiff
SHARON WYATT

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SHARON WYATT, on behalf of herself
and others similarly situated,

Plaintiff,

vs.

CreditCare, Inc. d.b.a.
CREDITC.A.R.E., Inc. and MIKE
GURNEY a/k/a TOM WRIGHT

Defendants.

CIV. NO. 04-03681 JF/RS

CIV. NO. C04-04479 JF

REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE, AND
POSTPONE OTHER MATTERS, and
[PROPOSED] ORDER

Date: November 18, 2005
Time: 10:30 AM
Courtroom 3

The parties hereby submit this joint statement:

There are currently two pending matters against Creditcare, Inc. and Michael Gurney being presided over by Hon. Jeremy Fogel (*Wyatt v. Creditcare, et al.* and *Panahiasl v. Creditcare, et al.*).

1 On November 8, 2005, the Court entered an Order allowing the Silicon Valley Law Group to withdraw
2 as counsel for defendants Creditcare, Inc. and Michael Gurney.

3 **Defendants' Counsel has Withdrawn; Parties Have Agreed to Postpone Matters**

4 Defendant Michael Gurney's continued deposition had been noticed for November 14, 2005.
5 The deposition of the original creditor of the underlying alleged debt, Dr. Hughes, D.D.S., had also
6 been noticed for November 14, 2005. Furthermore, depositions of plaintiffs were to take place in
7 December 2005 and February 2006 (the parties have agreed to the above sequence of the depositions).
8 Finally, plaintiffs were to respond to written discovery on or about November 16, 2005.

9 Defendant Michael Gurney, president of Creditcare, Inc., had indicated he has spoken to other
10 attorneys, expects to hear back next week from potential counsel, and will retain counsel promptly.
11 In light of defendants not having counsel at this time the parties have agreed to post-pone the above
12 pending matters. Defendants will immediately inform plaintiffs once new counsel is retained, and the
13 parties will then meet and confer to discuss the rescheduling of the above-matters.

14 Defendants had filed motions to stay class discovery in both matters, since the Court had yet to
15 certify a class. The court has now certified a class. The parties request that the Court post-pone the
16 Motions to Stay Class Discovery (currently set for December 13, 2005 and December 21, 2005), by
17 withdrawing them from calendar, to be reset, after defendants' new counsel meets and confers with
18 plaintiffs.

19 **Request to Continue CMC from November 18, 2005 to**

20 In light of the above, the parties believe it would be appropriate to continue the Case
21 Management Conference from November 18, 2005 to December 9, 2005.

22 Dated: November 10, 2005

23 
24 **Ronald Wilcox, Counsel for Plaintiff**

25 Dated: November 10, 2005

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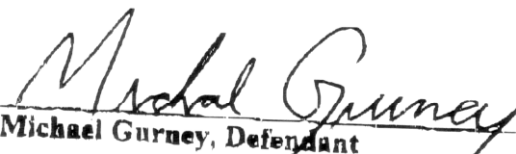
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From: LAW OFFICE OF RON WILCOX

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Michael Gurney, Defendant

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JOINT CASE MANAGEMENT STATEMENT, REQUEST TO CONTINUE AND (PROPOSED) ORDER

[PROPOSED] ORDER

The CMC set for November 18, 2005 is continued to December 9, 2005.

The Motions to Stay Class Discovery, set for December 13, 2005, and December 21, 2005, are off calendar until Defendants' counsel meets and confers with plaintiffs counsel to reset the matters.

IT IS SO ORDERED:

s/electronic signature authorized

11/14/05

HON. JEREMY FOGEL, U.S. DISTRICT COURT JUDGE

DATE